

10/509279 #2  
C104 Rec'd PCT/PTO 28 SEP 2004

PATENT  
Customer No. 22,852  
Attorney Docket No. 09605.0001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
 )  
Silvia FONQUERNA POU, et al. ) Group Art Unit: Unassigned  
 )  
Application No.: Unassigned ) Examiner: Unassigned  
 )  
Int'l. Filing Date: April 1, 2003 )

For: AZAINDOLYLPIPERIDINE DERIVATIVES AS ANTIHISTAMINIC AND  
ANTIALLERGIC AGENTS, being a National Stage filing of PCT International  
Application No. PCT/EP03/03377, filed on April 1, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the date of entry of the national stage in an international application.

Copies of the listed documents, including any copending patent applications, are attached.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine

that the cited documents do not constitute "prior art" under United States law, applicants reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 28, 2004

By: 

Anthony C. Tridico  
Reg. No. 45,958

Atty. Docket No. 09605.0001	Appln. No. Unassigned <b>10/509279</b>
Applicant	
Filing Date September 28, 2004	Group: Unassigned

U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	1	WO 02 14317 A1	02/21/2002	WIPO			Yes
	2	WO 02 20013 A2	03/14/2002	WIPO			Yes
	3	WO 00 75130 A2	12/14/2000	WIPO			Yes
	4	WO 02 36589 A2	05/10/2002	WIPO			Yes

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
<p>Form PTO 1449 <span style="float: right;">Patent and Trademark Office - U.S. Department of Commerce</span></p>	